

No. 24-560 and 24-757

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

OKSANA B., ALEXANDER B., and A.B.,

Plaintiffs-Appellees,

v.

**PREMERA BLUE CROSS, TABLEAU SOFTWARE, INC.
EMPLOYEE BENEFIT PLAN, and SALESFORCE.COM HEALTH
AND WELFARE PLAN**

Defendants-Appellants.

United States District Court, Western District of Washington
Honorable Marsha J. Pechman
Case No. 2:22-cv-01517-MJP

APPELLANTS' CONSENT MOTION TO CONSOLIDATE

ADAM H. CHARNES
KILPATRICK TOWNSEND &
STOCKTON LLP
2001 Ross Avenue, Suite 4400
Dallas, TX 75201
(214) 922-7106
acharnes@ktslaw.com

GWENDOLYN C. PAYTON
KILPATRICK TOWNSEND &
STOCKTON LLP
1420 Fifth Avenue, Suite 3700
Seattle, WA 98101
(206) 467-9600
gpayton@kilpatricktownsend.com

*Counsel for Premera Blue Cross, The Tableau Software, Inc. Employee
Benefit Plan, and Salesforce.com Health and Welfare Plan*

Appellants Premera Blue Cross, The Tableau Software, Inc. Employee Benefit Plan, and Salesforce.com Health and Welfare Plan have filed two notices of appeal in the same case, *Oksana B. v. Premera Blue Cross, et al.*, No. Case No. 2:22-CV-01517-MJP (W.D. Wash.), resulting in two appellate dockets and separate briefing schedules. In No. 24-560, Appellants appealed the entry of summary judgment for appellees. In No. 24-757, Appellants appealed the subsequent district court order granting attorneys' fees to Appellees. In the interest of efficiency, Appellants hereby move to consolidate the two appeals and for the Court to set one briefing schedule and consolidated briefs for both appeals.

Counsel for Appellees consents to this motion.

Respectfully submitted,

/s/ Adam H. Charnes

ADAM H. CHARNES
KILPATRICK TOWNSEND &
STOCKTON LLP
2001 Ross Avenue, Suite 4400
Dallas, TX 75201
(214) 922-7106
acharnes@ktslaw.com

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KILPATRICK TOWNSEND &
STOCKTON LLP
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Seattle, WA 98101
(206) 467-9600
gpayton@kilpatricktownsend.com

*Counsel for Premera Blue Cross, The Tableau Software, Inc. Employee
Benefit Plan, and Salesforce.com Health and Welfare Plan*

CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because this motion contains 112 words, excluding those parts of the brief exempted by Fed. R. App. P. 32(f).

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in Century Schoolbook 14-point font using Microsoft Word 365.

DATED: February 14, 2024.

s/ Gwendolyn C. Payton
GWENDOLYN C. PAYTON
KILPATRICK TOWNSEND &
STOCKTON LLP
1420 Fifth Avenue, Suite 3700
Seattle, WA 98101